



PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Eugenio Cefali
Serial No.: 09/470,603
Filing Date: 22 December 1999
Docket Number: 50454-56101USCIP3
Title: NICOTINIC ACID COMPOSITIONS FOR TREATING
HYPERLIPIDEMIA AND RELATED METHODS THEREFOR
Art Unit: 1615
Examiner: Robert M. Joynes
Date: 24 January 2005

Mail Stop 313(c)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and in accordance with the practice under 37 C.F.R. §§ 1.97 and 1.98, the Examiner's attention is directed to the documents listed on the enclosed Form PTO-1449. Copies of the listed documents are also enclosed.

REMARKS

The cited documents include experts reports exchanged in the pending litigation involving Kos Pharmaceuticals, Inc. and Barr Laboratories, Inc. ("Consolidated Case No. 02 CV 1683"), and articles and documents cited in those reports to the extent that they have not yet been considered by the Examiner. To the extent the cited documents are subject to the protective order in Consolidated Case No. 02 CV 1683, they are being submitted for consideration under MPEP § 724. In addition, to the extent the cited documents contain information confidential to Barr Laboratories, Inc. and to any third parties to Consolidated Case No. 02 CV 1683, they are being submitted in redacted form.

FORMAL MATTERS

Any fee required in connection with this paper should be charged to Deposit Account 50-2543. A duplicate of this paper is enclosed.

CONCLUSION

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.

Applicants' undersigned attorney may be reached at (954) 331-3825. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



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